

In Re:  
Paul S. Berglund  
Ruth Helen Bingham

## MODIFIED CHAPTER 13 PLAN

Dated: September 13, 2012

Debtor(s).

Case No.: 12-34181

## 1. PAYMENTS BY DEBTOR -

- As of the date of this plan, the debtor has paid the trustee \$ 700.00.
- After the date of this plan, the debtor will pay the trustee \$ 100.00 per month for 3 months, followed by \$ 700.00 per month for 2 months, followed by \$ 970.00 per month for 54 months, beginning September 20, 2012, for a total of \$ 54,080.00. The minimum plan length is 36 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- The debtor will also pay the trustee - N/A
- The debtor will pay the trustee a total of \$ 54,780.00 [line 1(a) + line 1(b) + line 1(c)].

2. **PAYMENTS BY TRUSTEE**- The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ 5,478.00, [line 1(a) + line 1(b) + line 1(c)].

3. **ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)]** – The trustee will promptly pay from available funds adequate protection payments to creditors hold allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	_____	\$ _____
b. _____	\$ _____	_____	\$ _____

4. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365]** – The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth paragraph 7. Creditors may continue to send statements to the debtor(s).

Creditor	Description of Claim
a. _____	_____
b. _____	_____

5. **CLAIMS NOT IN DEFAULT** – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. Creditors may continue to send statements to the debtor(s).

Creditor	Description of Claim
a. _____	_____
b. _____	_____

6. **HOME MORTGAGES IN DEFAULT (§1322(b)(5) and §1322(e))** - The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. *All following entries are estimates.* The trustee will pay the actual amounts of default. **Creditors may continue to send statements to the debtor(s).**

Creditor	Amount Of Default	Monthly Payment	Beginning In Month #	Number Of Payments	TOTAL PAYMENTS
a. <u>Chase Manhattan Mortgage Corp*</u>	<u>\$8,173.58</u>	<u>\$630.00</u>	<u>7</u>	<u>13</u>	<u>\$8,173.58</u>
b. _____	\$ _____	_____	_____	_____	\$ _____
c. _____	\$ _____	_____	_____	_____	\$ _____
d. TOTAL					<u>\$8,173.58</u>

\*Property at 1700 Carl St., Lauderdale, MN 55113

7. **CLAIMS IN DEFAULT [§ 1322(b)(3) and (5) and § 1322(e)]** - The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. *All following entries are estimates, except for interest rate.* Creditors may continue to send statements to the debtor(s).

Creditor	Amount of Default	Int. rate (if applicable)	Monthly Payment	Beginning In Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	_____	_____	_____	_____	\$ _____
b. _____	\$ _____	_____	_____	_____	_____	\$ _____
c. _____	\$ _____	_____	_____	_____	_____	\$ _____

8. **OTHER SECURED CLAIMS: SECURED CLAIM AMOUNT IN PLAN CONTROLS [§1325(a)(5)]** – The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured

claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE VALUE THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor	Claim Amount	Secured Claim	Int Rate	Beginning In Month #	Monthly Payment X	Number of Payments	Payments = on Account + of Claim	Adequate Protection Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	%	_____	_____	_____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	—	_____	_____	_____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	—	_____	_____	_____	\$ _____	\$ _____	\$ _____
d. TOTAL									\$ _____

9. **PRIORITY CLAIMS** – The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning In Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$3500.00	\$640.00	1	6	\$3500.00
b. Domestic Support	\$ _____	\$ _____	_____	_____	\$ _____
c. Internal Revenue Serv.	\$35,422.04	\$available funds	20	_____	\$35,422.04
d. Minn. Dept. of Revenue	\$ _____	\$available funds	20	_____	\$ _____
e. _____	\$ _____	\$ _____	_____	_____	\$ _____
f. TOTAL					\$38,922.04

10. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in paragraph 11, there shall be a separate class of nonpriority unsecured creditors described as follows: \_\_\_\_\_

The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor	Interest Rate (if any)	Claim Amount	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.						

11. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under paragraphs 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$2,206.38 [line 1(d) minus lines 2, 6(d), 7(d) 8(d), 9(f), and 10(c)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in paragraph 8 are \$ \_\_\_\_\_.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in paragraph 8 and paragraph 10) are \$ 156,555.00.
- c. Total estimated unsecured claims are \$156,555.00 [line 11(a) + line 11(b)].

12. **TARDILY-FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under paragraph 1, but not distributed by the trustee under paragraphs 2, 3, 6, 7, 8, 9, 10, or 11 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. **OTHER PROVISIONS** – a. The Trustee may distribute funds not allocated above at his or her discretion.

- b. If a creditor does not receive notice in time for timely filing of a claim, the creditor or the debtor's counsel shall notify the trustee, and the trustee shall treat such a claim as timely filed for purposes of distribution.
- c. Chase Home Finance shall have relief from the automatic stay to exercise its remedies pursuant to state law with respect to the property at 1975 Malvern Street, St. Paul, MN 55113.

14. **SUMMARY OF PAYMENTS** -

Trustee's Fee [Line 2]	\$ 5,478.00
Home Mortgage Defaults [Line 6(d)]	\$ _____
Claims in Default [Line 7(d)]	\$ 8,173.58
Other Secured Claims [Line 8(d)]	\$ _____
Priority Claims [Line 9(f)]	\$ 38,922.04
Separate Classes [Line 10(c)]	\$ _____
Unsecured Creditors [Line 11]	\$ 2,206.38
TOTAL [must equal Line 1(d)]	\$ 54,780.00

Gregory J. Wald ID #165244  
 Attorney for Debtor(s)  
 3800 American Blvd, W., Ste. 1500  
 Bloomington, MN 55431  
 (952) 921-5802

Signed /e/ Paul S. Berglund  
 DEBTOR

Signed /e/ Ruth Helen Bingham  
 DEBTOR (if joint case)

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:  
Paul S. Berglund xxx-xx-9190  
1975 Malvern St.  
St. Paul, MN 55113  
and  
Ruth Helen Bingham xxx-xx-3589  
1700 Carl St.  
Lauderdale, MN 55113,  
Debtors.

Case No. 12-34181 GFK

Chapter 13

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**NOTICE OF FILING MODIFIED PLAN PRIOR TO CONFIRMATION**

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TO: Jasmine Z. Keller, Trustee, U.S. Trustee, all other parties entitled to notice

PLEASE TAKE NOTICE that the Debtor herewith files the attached Modified Chapter 13 Plan prior to confirmation, pursuant to Local Rule 3015-2(a). The hearing on confirmation of the Modified Plan is set for October 25, 2012, at 10:30 a.m., in Courtroom No. 2A, U.S. Courthouse, 316 N. Robert Street, St. Paul, MN 55101. Any response to this motion shall be delivered not later than 24 hours prior to the time and date set for the confirmation hearing or mailed not later than three days prior to the date set for the confirmation hearing.

Debtor's employer has experienced a decrease in business due to loss of a government contract. As a result, the Debtor expects his income to be reduced by at least \$600.00 per month during the months of September, October and November, 2012. The Modified Plan reduces the amount of the payment to the trustee to \$100.00 per month during these months.

Dated: 9/19/12

By: /s/ Gregory J. Wald  
Gregory J. Wald, Attorney for the  
Debtor  
3800 American Boulevard West  
Bloomington, MN 55431  
952/921-5802 ID 165244

In Re:

**U. S. BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

Paul S. Berglund  
Ruth Helen Bingham

Debtor(s) BKY Case No. 12-34181 GFK

**UNSWORN DECLARATION  
FOR PROOF OF SERVICE**

I, Janice Wald, legal assistant at the office of Gregory J. Wald, attorney licensed to practice law in this court, with office address of 3800 American Blvd West, Suite 1500, Bloomington, Minnesota 55431, declares that on September 19, 2012, I served the **Notice of Filing Modified Plan Prior to Confirmation, proposed Modified Chapter 13 Plan**, upon each of the entities named below by Electronic Noticing and:

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Jasmine Z. Keller, Trustee

Office of the U.S. Trustee

that on September 19, 2012, I served the **Notice of Filing Modified Plan Prior to Confirmation, proposed Modified Chapter 13 Plan** upon each of the entities named below by mailing to each of them a copy thereof by enclosing same in an envelope with first class mail postage prepaid and depositing same in United States Post Office in Hennepin County, Minnesota addressed to each of them as follows:

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SEE ATTACHMENT A

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And I declare, under penalty of perjury, that the foregoing is true and correct.

Executed: 09-19-12

Signed: /e/ Janice Wald

ATTACHMENT A

PAUL S. BERGLUND  
1975 MALVERN ST  
ST PAUL MN 55113

RUTH BINGHAM  
1700 CARL ST  
LAUDERDALE MN 55113

ALLIED INTERSTATE INC.  
3000 CORPORATE EXCHANGE DRIVE  
5TH FLOOR  
COLUMBUS OH 43231

ALLINA HOSPITALS & CLINICS  
2925 CHICAGO AVE  
MINNEAPOLIS MN 55407-1321

BANK OF AMERICA  
BILLING INQUIRIES/BKY. DEPT.  
P.O. BOX 982235  
EL PASO TX 79998

BEST BUY RETAIL SERVICE  
PO BOX 15521  
WILMINGTON DE 19850

BOOK OF THE MONTH  
CUSTOMER SERVICE

CACH  
C/O LAW OFFICE OF SAM STREETER  
PO BOX 420670  
HOUSTON TX 77242

CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130

CHASE BANK USA  
800 BROOKSEDGE BLVD  
WESTERVILLE OH 43081

CHASE CARD SERVICES  
PO BOX 15298  
WILMINGTON DE 19850-5298

CHASE HOME FINANCE  
PO BOX 509011  
SAN DIEGO CA 92150-9011

CHASE HOME FINANCE  
PO BOX 78420  
PHOENIX AZ 85062-8420

CHASE MANHATTAN MORTGAGE CORP  
3415 VISION DRIVE  
COLUMBUS OH 43219

CHASE MASTERCARD  
PO BOX 15298  
WILMINGTON DE 19850

CHASE VISA  
PO BOX 15298  
WILMINGTON DE 19850

CITIBANK  
PO BOX 6500  
SIOUX FALLS SD 57117

CITIBANK  
PO BOX 6241  
SIOUX FALLS SD 57117

CITIBANK  
701 E 60TH ST N  
SIOUX FALLS SD 57104

CONVERGENT OUTSOURCING, INC.  
PO BOX 9004  
RENTON WA 98057-9004

DIRECT LOAN SERVICING CENTER  
U.S. DEPARTMENT OF EDUCATION  
P.O. BOX 5609  
GREENVILLE TX 75403

DISCOVER BANK  
PO BOX 30395  
SALT LAKE CITY UT 84130

ENCORE RCVABLE MNGMT INC.  
PO BOX 3330  
OLATHE KS 66063-3330

FAIRVIEW HEALTH SERVICES  
PO BOX 9372  
MINNEAPOLIS MN 55440-9372

FAIRVIEW HOME MEDICAL EQUIPMEN  
PO BOX 1221  
MINNEAPOLIS MN 55440

FAIRVIEW UNIVERSITY PARENT LOC  
A/T JC CHRISTENSEN & ASSOC  
PO BOX 519  
SAUK RAPIDS MN 56379

FMA ALLIANCE LTD  
11811 NORTH FREEWAY STE 900  
HOUSTON TX 77060

GE MONEY BANK/SAM'S CLUB  
PO BOX 530942  
ATLANTA GA 30353-0942

GURSTEL CHARGO  
6681 COUNTRY CLUB DRIVE  
GOLDEN VALLEY MN 55427

HENNEPIN COUNTY MEDICAL CENTER  
PO BOX 1238  
MINNEAPOLIS MN 55440-1238

HOME DEPOT CREDIT SERVICES  
PO BOX 689100  
DES MOINES IA 50368



HOME DEPOT CREDIT SERVICES  
CITIGROUP  
PO BOX 653000  
DALLAS TX 75265

INTERNAL REVENUE SERVICE  
ATTN: STOP 5700  
30 E. 7TH ST, SUITE 1222  
ST PAUL MN 55101-4940

JC PENNY  
PO BOX 981131  
EL PASO TX 79998

JOHNSON RODENBERG & LAUINGER  
1004 EAST CENTRAL AVE.  
PO BOX 4127  
BISMARCK ND 58502-4127

KOHL'S PAYMENT CENTER  
PO BOX 2983  
MILWAUKEE WI 53201

LVNV FUNDING LLC  
PO BOX 10587  
GREENVILLE SC 29603

MESSERLI & KRAMER PA  
3033 CAMPUS DRIVE SUITE 250  
PLYMOUTH MN 55441

MIDLAND CREDIT MANAGEMENT, INC  
RECOVERY DEPT.  
8875 AERO DRIVE, SUITE 200  
SAN DIEGO CA 92123

MINNESOTA DEPT OF REVENUE  
COLLECT DIV, 551-BANKRUPTCY  
PO BOX 64447  
ST PAUL MN 55164

NAFS - NATIONAL ACTION FINANCI  
PO BOX 9027  
WILLIAMSVILLE NY 14221-9027

NCO FINANCIAL SYSTEMS INC  
DEPT 64  
TRENTON NJ 08650

NCO FINANCIAL SYSTEMS INC  
507 PRUDENTIAL ROAD  
HORSHAM PA 19044

NORTHERN FINANCIAL SYSTEMS INC  
PO BOX 19560  
MINNEAPOLIS MN 55419

PLAZA ASSOCIATES  
370 SEVENTH AVE  
NEW YORK NY 10001-3900

PORTFOLIO RECOVERY  
120 CORPORATE BLVD, STE 100  
NORFOLK VA 23502

RAUSCH STURM ISRAEL ENERSON  
& HORNICK  
3209 W. 76TH ST., SUITE 301  
MINNEAPOLIS MN 55435

RJM ACQUISITIONS, LLC  
575 UNDERHILL BLVD., SUITE 2  
SYOSSET NY 11791

SEARS GOLD MASTERCARD  
PO BOX 688957  
DES MOINES IA 50368

SEARS PREMIER  
PO BOX 688956  
DES MOINES IA 50368

SHAPIRO & ZIELKE  
12550 WEST FRONTAGE ROAD  
SUITE 200  
BURNSVILLE MN 55337

SPRINT - BANKRUPTCY DEPARTMENT  
MIDWEST DIVISION  
5600 N RIVER ROAD  
ROSEMONT IL 60019-9111

STEWART ZLIMEN & JUNGERS, LTD.  
2277 HIGHWAY 36 WEST, #100  
ROSEVILLE MN 55113

TARGET NATIONAL BANK  
PO BOX 59317  
MINNEAPOLIS MN 55459

UNITED COLLECTION BUREAU, INC  
5620 SOUTHWYCK BLVD SUITE 206  
TOLEDO OH 43614

UNIVERSITY OF MN PHYSICIANS  
SDS 12-1562  
MINNEAPOLIS MN 55486

US DEPT. OF EDUCATION  
501 BLEECKER ST  
UTICA NY 13501

USSET, WEINGARDEN & LIEBO  
4500 PARK GLEN ROAD, SUITE 300  
ST. LOUIS PARK MN 55416

WELLS FARGO EDUCATIONAL  
FINANCIAL SERVICES  
301 E 58TH ST N  
SIOUX FALLS SD 57104

WOLPOFF & ABRAMSON  
702 KING FARM BLVD  
ROCKVILLE MD 20850

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Paul S. Berglund  
Ruth Helen Bingham  
Debtor(s).

SIGNATURE DECLARATION

Case No. 12-34181

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☒ MODIFIED CHAPTER 13 PLAN  
☐ OTHER (Please describe: \_\_\_\_\_)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 9-14-12

X Paul S. Berglund  
Signature of Debtor or Authorized Representative

Paul S. Berglund

Printed Name of Debtor or Authorized Representative

X Ruth Helen Bingham  
Signature of Joint Debtor

Ruth Helen Bingham

Printed Name of Joint Debtor

Form ERS 1 (Rev. 10/03)